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FAZZIO LAW OFFICES  
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*Attorneys for Spiderbands LLC and Franci Cohen*

BRITTANY CLYBOURN,

Plaintiff,

-vs.-

SPIDERBANDS LLC and FRANCI  
COHEN,

Defendants.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Index No. 18-cv-3688

Civil Action

**CERTIFICATION OF DEFENDANT  
FRANCI COHEN IN SUPPORT OF  
DEFENDANTS' MOTION TO  
DISMISS**

I, FRANCI COHEN., being of full age, do hereby certify as follows:

1. I am the principal CEO and owner of Spiderbands LLC, another Defendant in the above-captioned matter.
2. I have personal knowledge of the facts contained in this Certification, the basis of which is the file maintained by this office.
3. Plaintiff Brittany Clybourn executed an employment contract with Spiderbands LLC on September 12, 2017. Attached hereto as **Exhibit A** is a true, complete, and correct copy of the executed Employment Contract and respective schedules.
4. As per Schedule A of the Employment Contract, Plaintiff Brittany Clybourn was contracted to teach **96 classes** from November 1, 2017 to February 25, 2018.
5. Plaintiff taught **86 classes of the required 96 classes** and did not teach the classes required and assigned to her on February 6, 2018 onward.

6. Plaintiff Brittany Clybourn was scheduled to teach Jumpstrike, a kickboxing class, a class she previously taught, on February 1, 2018.

7. Plaintiff failed to incorporate kickboxing aspects in this class and as a result, Spiderbands received various customer complaints after the class had ended.

8. I attempted to give Plaintiff recommendations which would improve the kickboxing classes and after this discussion, Plaintiff failed to show up for work.

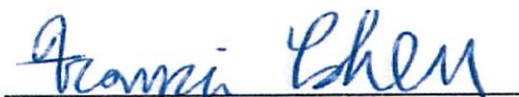
9. Since Plaintiff failed to show up for work after this discussion, Plaintiff's employment was therefore terminated.

10. Plaintiff also failed to complete additional employment duties as laid out in **Exhibit A.**

11. Attached hereto as **Exhibit B** is a true and accurate copy of a February 2, 2018 e-mail received from Brittany Clybourn, which made various unfounded allegations.

The foregoing statements made by me are true and correct to the best of my knowledge. I am aware that if any of the foregoing statements by me are willfully false, I am subject to

punishment.


A handwritten signature in blue ink, reading "Franci Cohen", is written over a horizontal line.

FRANCI COHEN

Sworn to and subscribed before me on

May 17 2018.

Shirell Davis

  
Notary Public  
SEAL

SHIRELL DAVIS  
Commissioner of Deeds-City of New York  
No. 2-12502  
Qualified in Kings County  
Commission Expires ~~June 1, 2018~~ **JUNE 1, 2018**

Notary Public